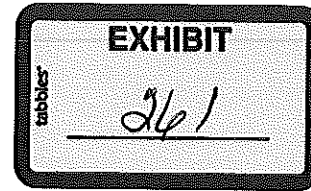




Town of Manchester

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BUREAU OF WATER PROTECTION AND LAND REUSE
OFFICE OF THE BUREAU CHIEF

February 1, 2010

FEB 04 2010

Paul E. Stacy
Department of Environmental Protection
Bureau of Water Protection and Land Reuse
Planning & Standards Division
79 Elm Street
Hartford, CT 06106-5127

Re: Proposed Streamflow Regulations

Dear Mr. Stacy:

This purpose of this letter is to communicate the Town of Manchester's concerns to the DEP regarding the latest version of the proposed streamflow regulations (Sections 26-141a-1 to 26-141a-8; inclusive of the Regulations of Connecticut State Agencies).

Our first and foremost concern is the ability to maintain the mandated safe yield factor developed in the Town's Water Supply Plan. Our consultant reviewed the effect the proposed regulation would have on the margin of safety and found that the loss in safe yield from the Lydall reservoirs and Buckingham reservoir could be as much as 100%, and essentially become unusable during the drier months of the year.

Furthermore, the proposed regulations would also have a significant impact on the Town's sources of groundwater. Two of our tens wells would have over a 90% reduction in maximum yield. Depending on their location, loss in production from our other wells would range from 0 – 67%.

When these factors are combined, the calculated safe yield of our system would drop below 1.0 by the year 2012 if the regulations were adopted as written.

Aside from the margin of safety being reduced, our Town would have to make significant investments in planning, engineering, construction and operations & maintenance to meet the intent of this regulation. We would also need to develop new sources of water and provide new infrastructure to distribute it system-wide in a manner that is not currently possible. With the intended beneficiaries of this legislation residing throughout the State, it would seem these costs should not be the sole burden of the Utility, and in essence, the Ratepayers.



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This legislation, as proposed would certainly effect the Town's plan of development and most likely result in a growth moratorium as the safe yield of our system would be exceeded. This, combined with the expenditures required to comply with the regulation, would no doubt have a negative influence the economic growth and recovery of our community.

The Town of Manchester was established and has prospered because of its proximity to water. The town invested in infrastructure improvements such as dams, groundwater wells and an extensive distribution system, which ensured the populous of an adequate water supply of water for consumption and commercial purposes, as well as for fire suppression. Some of these assets have been serving our community for over 100 years, thus it would be challenging to modify their function(s) without significant structural modifications and capital expenditures.

As demonstrated just three years ago during the State-wide drought, much of our water supply is directly dependent on climatic conditions, so would require that the Town carefully plan the necessary safeguards into the system to ensure there is an adequate amount of this precious resource for basic consumption.

Another concern with this legislation is that since, according to DEP data, less than 1% of the State's rivers and streams are impaired due to flow modification, it would make sense for the agency to concentrate efforts on these particular waterways rather than taking such a broad approach. There also does not appear to be a consensus as to a scientific basis for this regulation. We are not aware of any research that has been conducted which identified the specific type or quantity of species affected by current practices.

In conclusion, it is obvious we are concerned about the potential impacts of this proposed regulation. We think this is well-intended legislation, but believe it still needs refinement with constructive input from local utilities before becoming law. We want to assure you that we will remain cooperative through this process and would support the development of a regulation that balances the practical benefits to the environment, with what is scientifically achievable and economically sensible to our community.

Yours truly,



Edward J. Soper, Administrator, Water & Sewer Department
On behalf of the Town of Manchester Water Supply Task Force

c: Board of Directors	Honorable Jody Rell, Governor
Legislative Delegation	Tim O'Neil, Assistant Town Attorney
Scott Shanley, General Manager	Members of the Water Supply Task Force
Amy Marrella, DEP Commissioner	Betsy Gara, CWWA